

**REMARKS**

Claims 1, 4, 5, 9, 12, 13, 31, and 32 are pending in this application. Claims 2-3, 6-8, 10-11, and 14-30 previously had been cancelled.

**Double Patenting**

Claims 1, 4, 5, 9, 12, 13, 31, and 32 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-3 of U.S. Patent No. 6,869,610 (the '610 patent). The Applicants respectfully disagree. However, in order to expedite prosecution, the Applicants hereby submit a terminal disclaimer under 37 C.F.R. 1.1321(c) with respect to the '610 patent. The Applicants note that the filing of a terminal disclaimer to obviate a rejection based on non-statutory double patenting is not an admission of the propriety of the rejection. *Quad Environmental Technologies Corp. v. Union Sanitary District*, 946 F.2d 870, 20 USPQ2d 1392 (Fed. Cir. 1991), MPEP § 804.02 II). Accordingly, the applicant respectfully requests withdrawal of this rejection.

Applicants respectfully request that a timely Notice of Allowance be issued in this case. The Commissioner is authorized to charge any fee which may be required in connection with this Amendment, or credit any overpayment, to Deposit Account No. 50-3207.

Respectfully submitted,

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